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NEA FOR FRONT OFFICE, NSC FOR ABRAMS/DORAN/LOGGERFO

E.O. 12958: DECL: 08/01/2016
TAGS: [PREL](#) [KPAL](#) [KWBG](#) [PHUM](#) [IS](#)
SUBJECT: ISRAELI HIGH COURT TO ALLOW TEMPLE MOUNT FAITHFUL
ENTRY ONTO HARAM AL-SHARIF/TEMPLE MOUNT

Classified By: Consul General Jake Walles, per reasons 1.4 (b) and (d).

¶1. (C) Jerusalem attorney Danny Seidemann confirmed to ConGen Poloff an August 1 decision by the Israeli High Court to grant entry by the Temple Mount Faithful -- an extreme right-wing Israeli group dedicated to rebuilding the Jewish temple on the site of the Haram al-Sharif/Temple Mount in the Old City -- to enter the site during the August 3 Jewish holiday of Tisha B'Av. (Note: Tisha B'Av, one of the most solemn days in the Jewish tradition, commemorates the destruction of the First and Second Temples. End note.)

¶2. (C) Seidemann translated from the Hebrew the text of the High Court decision. According to Seidemann, the court decision will allow members of the Temple Mount Faithful (TMF):

-- To enter the Haram al-Sharif/Temple Mount during the regular visiting hours on August 3 allotted to non-Muslim visitors;

-- TMF members are forbidden to carry signs, wear garments, or act in a conspicuous or provocative manner while on the Temple Mount; and

-- In the event of any breach or change in circumstances, the Israeli police may exercise their authority and prevent entry.

¶3. (C) Seidemann further noted that unlike previous court decisions that denied entry onto the Haram al-Sharif/Temple Mount to the TMF on the basis that their presence represented a clear and present danger, the August 1 decision places a burden on the police to justify preventing the group's entry.

He suggested that timing of the court decision amounts to "throwing gasoline" on an already tense situation. He surmised that Israeli PM Olmert, who is primarily focused on the situation in Lebanon, would likely not intervene in the matter without USG intervention.

Comment

¶4. (C) The timing of this Israeli High Court decision could not come at a more tense moment in the region. The mixture of fighting in Gaza and Lebanon, demonstrations in the West Bank and Gaza condemning Israeli military action, and the one-year anniversary of the start of Israel's disengagement from Gaza, threatens to become further inflamed by this court decision. Israeli settlers and their supporters are conducting a march from downtown Jerusalem to the Western Wall August 1 to commemorate the one-year anniversary of the Gaza withdrawal. The court decision, which has yet to reach the Palestinian public, is likely to elicit calls to confront the TMF on August 3.

